

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Priority

Form PCT/IB/304 is attached to this response as evidence of receipt of priority documents regarding PCT/JP05/002413, from which this application claims priority. As indicated in the form, the International Bureau (IB) received the priority documents on 14 April 2005. Thus, it is respectfully requested that the Examiner request priority documents from the IB. If the applicants can be of assistance in requesting the priority documents, the examiner is welcomed to contact the Applicants' representative below.

Status of Claims

Claims 1 and 3 are amended. Claim 5-10 are added. No new matter is added. Claims 1-10 are pending.

Claim Rejections – 35 USC § 112

Claims 1-4 are rejected under 35 U.S.C § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Independent claims 1 and 3 are amended to recite, among other features, providing a drawn wire formed by coating raw material powder for a superconductor with a metal. Thus a drawn wire is formed by coating raw material powder. Therefore at least the above portion of claims 1 and 3 are satisfy the requirements of 35 U.S.C. § 112, second paragraph.

Independent claim 3 was objected to for the elements in parentheses in lines 5 and 11. Thus claim 3 has been amended to recite, among other features, wherein n is an integer greater than or equal to 2 and wherein k is an integer greater than or equal to 2. Claim 3 is amended to recite k^{th} and $(k-1)^{\text{th}}$. Thus the amendments to claim 3 further clarify the values

of n , k , k^{th} and $(k-1)^{\text{th}}$. Therefore claims 1-4 satisfy the requirements of 35 U.S.C. § 112, second paragraph.

Claim Rejections - 35 USC § 102

Claims 1-4 are rejected under 35 U.S.C § 102(b) as being anticipated by Kaneko (U.S. Patent No. 6,498,302). This rejection is respectfully traversed. A reference anticipates claimed subject matter when the reference discloses each and every element of the claimed subject matter.

Independent claim 1 recites, among other features, at least one of an interval between the step of providing a drawn wire and the step of rolling and an interval between the step of rolling and the step of sintering is less than seven days. Independent claim 3 recites, among other features,

at least one of an interval between said step of providing a drawn wire and said step of the first rolling, an interval between said step of the first rolling and said step of the first sintering, an interval between said step of the $(k-1)^{\text{th}}$ sintering and said step of the k^{th} rolling, and an interval between said step of the k^{th} rolling and said step of the k^{th} sintering is less than seven days.

Kaneko fails to teach, suggest or render predictable at least the above features. In Example 1, Kaneko discloses a pipe filled with wires drawn and rolled to make a tape-shaped wire, and the tape-shaped wire is heat-treated and rolled. The wire in Kaneko is heat treated and rolled again. Kaneko fails to disclose the length of the interval between the first heat treating and the first rolling. Kaneko fails to disclose an interval between the first rolling and the second heat treating. Nonetheless, the Office Action of January 28, 2008 states, “there is an interval between rolling and sintering steps when the wire is held at a temperature above 80 degree C (such as while heating up to 850 degree C).” However, the heating up to 850 C is the sintering step of Kaneko. Moreover, Kaneko fails to disclose “while” heating up to 850 degree C. Therefore Kaneko fails to disclose at least the above recited features of claims 1 and 3.

Moreover each step of providing a drawn wire, rolling and sintering may be performed at different locations and may require transport and/or storage of the wires until the next step in the process. Kaneko does not address the problems associated with storing or holding the wires between each step. The embodiments of the claimed invention address at least the issues related to holding the wires between each step of providing a drawn wire, rolling and sintering. Therefore Kaneko fails to teach or suggest each and every claimed features, and thus, does not anticipate claims 1-4.

Claims 1 and 3 are believed to be allowable for at least the reasons stated above. Because claims 2 and 4 depend from claims 1 and 3, they are believed to be allowable for at least the same reasons claims 1 and 3 are believed to be allowable.

New Claims

Claims 5-10 are added to further distinguish features of the current invention. In particular claims 5 and 7 recite, among other features, the wire is held in a reduced pressure atmosphere. Kaneko fails to teach or suggest at least the above features. Similarly, claims 6 and 8 recite, among other features, a wire held in an atmosphere comprising at least one of nitrogen, argon or dry air.

Each feature recited in claims 5-8 is not taught, suggested or rendered predictable by Kaneko. Instead Kaneko discloses, heating the wire under the atmosphere for sintering. Thus, claims 5-8 are believed to be allowable for at least the reasons stated above. Moreover, claims 5-8 depend from claims 1 and 3 and, they are believed to be allowable for at least the same reasons claims 1 and 3 are believed to be allowable.

Concluding Remarks

After amending the claims as set forth above, claims 1-10 are pending. Applicants believe the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

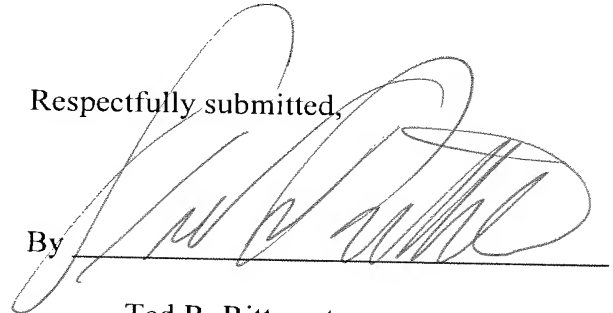
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

April 24, 2008

By



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PCT



NOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
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(PCT Administrative Instructions, Section 411)

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Priority date	Priority application No.	Country or regional Office or PCT receiving Office	Date of receipt of priority document
24 June 2004 (24.06.2004)	2004-186478	JP	14 April 2005 (14.04.2005)

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